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1 A. I found that there were public hearings
2 that were held on -- each time the ordinance was
3 changed.

4 Q. Right.

5 A. I found a letter from the public as part
6 of that. I found that the prior director
7 testified to research with regards to Department
8 of Justice, and other, other than that, that's the
9 extent of findings.

10 Q. All right. And of the materials you've
11 just told me about, did you find anything that
12 dealt specifically with congestion in the streets?
13 With -- this is vis-à-vis household care
14 facilities.

15 A. I'm -- we don't record the specific
16 details of commentary in the public hearing, so I
17 can't testify as to whether that might have been
18 part of that consideration.

19 Q. Okay. You would agree with me that the
20 city -- that apart from the public hearings, the
21 city itself didn't conduct any surveys or gather
22 any statistics about congestion in the streets
23 related to household care facilities?

24 A. No. There -- no, we did not.

25 Q. And the same thing is true about household

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1 care facilities and securing safety from fire,
2 panic, and other dangers, isn't that right, the
3 city never did any kind of survey or study of
4 those things?

5 A. Not, not specific studies, no.

6 Q. Okay. And when you say "not specific
7 studies," were there some general studies that you
8 found when you were doing -- preparing for your
9 deposition?

10 A. Well, the way that uses are typically
11 added to the zoning ordinance does not involve
12 studies specific to each individual end use. The
13 burden to government would be extremely high if we
14 were to have that duty of care with every land use
15 within our zoning ordinance.

16 Q. All right. And just to get some
17 vocabulary right, is a household care facility a
18 land use?

19 A. It is.

20 Q. Okay. You've probably answered rest of
21 my -- or the next set of questions, but I'm going
22 to ask them anyway.

23 I gather that there were no studies
24 with relationship to household care facilities and
25 adequate light and air?

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1 A. No, there were not.

2 Q. And similarly, no studies that looked
3 specifically at household care facilities in
4 connection with overcrowding of land?

5 A. That is correct.

6 Q. And there were no studies of any kind
7 concerning household care facilities and the undue
8 concentration of the population?

9 A. Only as they relate to the Department of
10 Justice.

11 Q. All right. And then also no studies
12 concerning the effect of household care facilities
13 on transportation, water, sewage, schools, parks,
14 and other public requirements, right?

15 A. Right. That -- that's correct, only as
16 they would relate to the Department of Justice
17 standards.

18 Q. Okay. And then we -- we'll broaden that
19 out to the general health and -- the health and
20 general welfare of the city. The city didn't ever
21 study whether household care facilities have a
22 negative or positive effect on health and general
23 welfare, did it?

24 A. No, we did not.

25 Q. Now, as we go along, we're going to talk

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1 about the definition of household that's in the
2 current zoning ordinance and has been in the
3 zoning ordinance I think since 2004. The -- or
4 maybe since 2009. But under the current zoning
5 ordinance, a household is the use that is
6 permitted in a single-family home in single-family
7 zoning, right?

8 A. Yes, but not exclusively.

9 Q. Okay. What, what are some of the other
10 uses for single-family homes?

11 A. I meant households are allowed in other
12 zoning districts, not just single-family.

13 Q. Oh, okay. I'm sorry.

14 So what I want to understand is, in a
15 single-family house in a single-family zoning
16 district, my understanding, at least, is that the
17 permitted use is a household; is that right?

18 A. There could be other -- yeah, that's the
19 primary use, yes.

20 Q. Okay. And my understanding of the
21 definition of household is that there are two
22 kinds of households, there's something called a
23 domestic unit, and I'm not going to -- it's a
24 group of people who are mostly related to each
25 other, let's say that, but there's a domestic

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1 unit, and then the other kind of household is a
2 household care facility; is that right?

3 A. I would look at it as three types. So --

4 Q. Okay.

5 A. -- it's -- are you talking about the
6 current ordinance?

7 Q. Yes. What are the three types?

8 A. Okay. Let me -- I'd like to look at the
9 actual definition so I can explain.

10 Q. Please do. Please do.

11 THE REPORTER: And while she's looking
12 at that, Charles, there is someone else in the
13 room with you. Can you identify who that person
14 is?

15 MR. CRAWFORD: Yes. It's Michelle
16 D'Andrea, assistant city attorney.

17 THE REPORTER: Thank you so much.

18 A. All right. So the definition of
19 household, and this is -- what I'm looking at is
20 the current zoning ordinance of the City of Plano,
21 states, A domestic unit that resides in and shares
22 a single dwelling unit and consists of one or more
23 individuals related by blood, marriage, adoption,
24 or recognized legal union or guardianship, and not
25 more than four unrelated individuals, plus any

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1 minor children, or persons residing in a household
2 care facility.

3 So the way I look at it is sort of
4 there's three different kind of subcategories
5 here. You can either be the individuals related
6 by blood, marriage, adoption, or recognized legal
7 union or guardianship, not more than four -- and
8 the second type being not more than four unrelated
9 adult individuals, plus any minor children, the
10 third type being persons residing in a household
11 care facility.

12 Q. Okay. Now, so I understand this a little
13 better, your understanding, at least, is that the
14 first type, one or more individuals related, that
15 type consists entirely of people who are related
16 to each other by one of these ways; is that right?

17 A. That is correct.

18 Q. Okay. And then the second type would be
19 four unrelated adults and minor children, but if I
20 understand you correctly, that second type would
21 not include related adults, for example, a sister
22 and brother would count -- would -- well, let me
23 back up.

24 So, for example, if you had four
25 unrelated adults plus somebody's adult sister and

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1 some minor children, as I understand you, that
2 would not fit this second category because the
3 second category only allows the four adults and
4 minor children?

5 A. That's not the way we've looked at it.
6 We've looked at it as if a family wanted to -- a
7 family by the first definition, being people
8 related by blood, marriage, et cetera, wanted to,
9 say, take in a renter of some variety, that they
10 could lease or rent out one of their rooms if --
11 one or more of their rooms to unrelated
12 individuals. So we would -- we're just counting
13 the unrelated individuals that are adults.

14 Q. Okay. So if you start with the first kind
15 of domestic unit, that's this group of people who
16 are related to each other, you could add to that
17 three unrelated adults, plus the minor children of
18 those three unrelated adults?

19 A. Yes.

20 Q. Okay. And then the third kind is this --
21 is a household care facility, as you discussed
22 earlier.

23 So let me ask you another question. I
24 asked you a minute ago about studies or surveys
25 done by the City of Plano itself in connection

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1 with these different ordinances. And several
2 times you mentioned the Department of Justice
3 standards or information that the city got from
4 the Department of Justice. Other than information
5 from the Department of Justice, did the city go
6 out and collect studies or surveys about issues
7 like traffic and density that might have, that
8 might have been particular not to the City of
9 Plano but to the world in general, for example, a
10 study of how household care facilities affects
11 traffic nationwide, anything like that?

12 A. We do -- as planners, we receive regular
13 training from the American Planning Association
14 on -- we're required, especially those of us that
15 are certified planners, are required to maintain a
16 certain level of training. That includes
17 opportunities to participate in housing-related
18 training. And so while I can't speak specifically
19 to the past and others that were involved with
20 these ordinances, I can say -- their exact
21 training that they took in, I can say that it is
22 the general practice of the department to
23 participate regularly in training activities and
24 collect information regarding housing. I
25 personally have attended housing-related training

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1 numerous times and would have heard information
2 related to a general understanding of how housing
3 operates within the United States.

4 Q. Okay. And talking only about now the
5 training that you've personally been to, do you
6 recall any training where you got information
7 specifically about the effect of household care
8 facilities, or I want to broaden that to group
9 homes, let's say, and traffic congestion?

10 A. Specifically that level of detail, no.

11 Q. Okay. And I'm correct, am I not, that
12 you've also never had any training that dealt
13 specifically with group homes and levels of crime?

14 A. I -- I'm not going to say that I have not
15 had that training. I'm going to say I don't
16 recollect specific details of the training that I
17 received --

18 Q. Okay.

19 A. -- in those areas.

20 Q. Do you have any recollection of receiving
21 training that related group homes to property
22 values?

23 A. No, I do not.

24 Q. And do you recall having received any
25 training that related group homes to noise?

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1 A. Not specifically.

2 Q. Now, the City of Plano is aware, is it
3 not, that there are household care facilities
4 located in the city?

5 A. Yes, we are.

6 Q. And, in fact, the city actually provides,
7 or at least at one time provided, funding for a
8 group home called Emily's Place. Were you aware
9 of that?

10 A. Yes.

11 Q. During the time that the city has provided
12 funding for Emily's Place, has it ever done any
13 kind of study or survey that looked specifically
14 at the effect of Emily's Place on the surrounding
15 neighborhood?

16 A. I just want to be clear. My
17 understanding, Emily's Place is a household care
18 institution, if I recollect correctly. Is that
19 your understanding as well?

20 Q. I don't know. So I can't disagree with
21 you, but I can't agree with you either. But let
22 me ask, do you know if the city has done any kind
23 of study about the effect of Emily's Place on its
24 surrounding neighborhood?

25 A. I don't -- because I do not believe